

HOUSE BILL 864
EMERGENCY BILL

Unofficial Copy
A2

2004 Regular Session
4r2070
CF 4r2081

By: ~~Delegate Love (Chairman, Anne Arundel County Delegation)~~ Anne Arundel County Delegation

Introduced and read first time: February 9, 2004

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2004

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County - Alcoholic Beverages Licenses -**
3 **Baltimore-Washington International Airport**

4 FOR the purpose of allowing certain sublessees at any airport to obtain airport
5 concessionaire licenses to sell alcoholic beverages within airport terminal
6 buildings; authorizing certain persons at Baltimore-Washington International
7 Airport to hold one ~~or more~~ airport concessionaire ~~licenses for~~ license for
8 multiple locations within the terminal building of the Airport, even if they
9 already hold one or more other licenses issued by the Board of License
10 Commissioners of Anne Arundel County; specifying that this Act does not apply
11 to duty free shops; allowing the Board to issue two airport concessionaire
12 licenses for the same premises or concessionaire space at the Airport for a
13 certain purpose under certain conditions; requiring that the Board give
14 precedence to certain license applications; requiring the Board to hold hearings
15 on certain license applications at the Board meeting that immediately follows
16 receipt of the applications; specifying the fee for an airport concessionaire
17 license and one location from which alcoholic beverages may be sold; specifying
18 an annual fee for each additional location from which alcoholic beverages may
19 be sold; making conforming and stylistic changes; making this Act an emergency
20 measure; and generally relating to alcoholic beverages licenses at
21 Baltimore-Washington International Airport.

22 BY repealing and reenacting, without amendments,
23 Article 2B - Alcoholic Beverages
24 Section 8-202(a)
25 Annotated Code of Maryland

1 (2001 Replacement Volume and 2003 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article 2B - Alcoholic Beverages

4 Section 8-202(g) and 9-102(a)

5 Annotated Code of Maryland

6 (2001 Replacement Volume and 2003 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article 2B - Alcoholic Beverages**

10 8-202.

11 (a) This section applies only in Anne Arundel County.

12 (g) (1) There is an airport concessionaire license.

13 (2) (I) An individual, association of individuals, or a corporation which
14 is a lessee, SUBLESSEE, or a concessionaire at any airport, without further residential,
15 voting or locative qualifications, may [procure a] OBTAIN AN AIRPORT
16 CONCESSIONAIRE license for the sale of any and all alcoholic beverages within [the
17 confines of] the airport terminal buildings.

18 (II) 1. THIS SUBPARAGRAPH DOES NOT APPLY TO DUTY FREE
19 SHOPS.

20 2. A PERSON WHO IS A LESSEE, SUBLESSEE, OR
21 CONCESSIONAIRE AT BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT MAY
22 HOLD ONE ~~OR MORE~~ AIRPORT CONCESSIONAIRE ~~LICENSES FOR~~ LICENSE FOR
23 MULTIPLE LOCATIONS WITHIN THE TERMINAL BUILDING OF
24 BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT, EVEN IF THE PERSON
25 ALREADY HOLDS ONE OR MORE ALCOHOLIC BEVERAGES LICENSES OF ANY OTHER
26 TYPE ISSUED BY THE BOARD.

27 (III) 1. THE BOARD MAY ISSUE A SECOND AIRPORT
28 CONCESSIONAIRE LICENSE FOR A LEASED PREMISES OR CONCESSIONAIRE SPACE
29 THAT IS ~~ALREADY LICENSED~~ LICENSED AS OF MARCH 1, 2004, AT
30 BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT TO MAINTAIN SERVICE
31 DURING A TRANSITION INVOLVING DIFFERENT LICENSEES; BUT

32 2. THE FIRST AIRPORT CONCESSIONAIRE LICENSE SHALL
33 EXPIRE WHEN THE PRIVILEGES UNDER THE SECOND ARE EXERCISED.

34 (IV) ON RECEIPT OF AN APPLICATION FOR AN AIRPORT
35 CONCESSIONAIRE LICENSE UNDER SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH,
36 THE BOARD SHALL:

1 1. GIVE PRECEDENCE TO THE APPLICATION OVER ALL
2 OTHER LICENSE APPLICATIONS; AND

3 2. HOLD A HEARING ON THE APPLICATION AT THE BOARD
4 MEETING THAT IMMEDIATELY FOLLOWS RECEIPT OF THE APPLICATION.

5 (3) (i) The annual ~~license~~ fee FOR THE AIRPORT CONCESSIONAIRE
6 LICENSE AND ONE LOCATION FROM WHICH ALCOHOLIC BEVERAGES MAY BE SOLD is
7 \$5,000.

8 (II) THE ANNUAL FEE FOR EACH ADDITIONAL LOCATION FROM
9 WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IS \$5,000.

10 (ii) (III) ~~The~~ EACH fee shall be paid on May 1 to the Board.

11 (iii) (IV) The licensee may sell alcoholic beverages every day ~~at one~~
12 ~~or more locations~~ FROM EACH LOCATION within the airport terminal buildings.

13 (iv) (V) The license permits the playing of music and dancing.

14 (v) (VI) The provisions of subsection (d) of this section relating to
15 special Sunday licenses do not apply to the holder of a license issued under this
16 subsection.

17 (4) Licenses and licensees are subject to all laws and regulations
18 applicable to the sale of alcoholic beverages not inconsistent with the provisions of
19 this section.

20 9-102.

21 (a) No more than one license provided by this article, except by way of renewal
22 or as otherwise provided in this section, shall be issued in any county or Baltimore
23 City, to any person, or for the use of any partnership, corporation, unincorporated
24 association, or limited liability company, in Baltimore City or any county of the State,
25 and no more than one license shall be issued for the same premises except as provided
26 in §§ 2-201 through 2-208, 2-301, and 6-701, and nothing herein shall be construed
27 to apply to [subsections (b) and (c) of] § 7-101(B) AND (C), § 8-202(G)(2)(II) AND (III), or
28 [to] § 12-202 [(pertaining to special music or dancing licenses for Anne Arundel
29 County)] of this article.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
31 measure, is necessary for the immediate preservation of the public health or safety,
32 has been passed by a ye and nay vote supported by three-fifths of all the members
33 elected to each of the two Houses of the General Assembly, and shall take effect from
34 the date it is enacted.

